

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

LATASHA R. ARMSTEAD,

Plaintiff,

v.

SGT MOLINA, CO BRAUN, CPT
WENZEL, and LANITA DOTSON,

Defendants.

Case No. 17-CV-483-JPS

ORDER

On April 5, 2017, the Clerk of the Court sent a letter to the plaintiff, stating that she must provide her prisoner trust account statement within twenty-one days. (Docket #3). It has been more than twenty-one days, and no statement has been received.

A prisoner must initially provide the Court with a certified copy of her prison trust account statement for the last six months, which the Court uses to calculate the appropriate amount of the prisoner's required initial partial filing fee. *See* 28 U.S.C. § 1915(a)(2). Section 1915 places the burden on the prisoner to obtain the statement and file it with her complaint. It provides that "[a] prisoner seeking to bring a civil action ... without prepayment of fees or security therefor ... shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the six-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined."

Without the statement, the Court will be forced to deny her requests to proceed *in forma pauperis*, since her incomplete application leaves the Court unable to determine that she is, in fact, a pauper. *See McGore v. Wrigglesworth*,

114 F.3d 601, 605 (6th Cir. 1997) (failure to file complete application for *in forma pauperis* status requires denial of motion to proceed *in forma pauperis*); *Alexander v. Perrenoud*, No. 03-C-0578-C, 2004 WL 2781220, at *1 (W.D. Wis. Dec. 1, 2004). The plaintiff will be afforded until **May 10, 2017**, to file her trust account statement with the Court. Failure to do so will result in the denial of her motion to proceed *in forma pauperis*. If the plaintiff does not submit the statement by that date, she will have until **May 17, 2017**, to pay the full \$400.00 filing fee, or the action will be dismissed without prejudice. *See* Civil L. R. 41(c).


Accordingly,

IT IS ORDERED that the plaintiff shall submit a certified copy of her prison trust account statement for the previous six months no later than **May 10, 2017**; and

IT IS FURTHER ORDERED that if the plaintiff does not submit a certified copy of her prison trust account statement by that date, the plaintiff must pay the full \$400.00 filing fee no later than **May 17, 2017**, or this action will be dismissed without prejudice.

Dated at Milwaukee, Wisconsin, this 1st day of May, 2017.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge